

PAHTL.047A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Meserve *et al.*

Appl. No. : 09/643,172

Filed : August 21, 2000

For : FIRE EXTINGUISHER WITH MEANS
FOR PREVENTING FREEZING AT
OUTLET

Examiner : Nguyen



Group Art Unit 3752

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA. 22202, on

June 18, 2002

(Date)

Pui Tong Ho, Reg. No. 44,155

Election
#5
7/11/02
D. Brewer

RESPONSE TO OFFICE ACTION MAILED MAY 21, 2002

UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 2327
Arlington, VA 22202

RECEIVED
JUN 27 2002
TECHNOLOGY CENTER R3700

Dear Sir:

This paper is responsive to Examiner's Office Action mailed May 21, 2002. Pursuant to the shortened statutory period of one month, response is timely filed by June 21, 2002.

REMARKS

Claims 1-27 are pending. Examiner has imposed a restriction requirement under 35 U.S.C. § 121, dividing claims into two groups: (I) claims 1-14, drawn to a method of removing water from a fire extinguisher fluid; and (II) claims 15-27 drawn to an apparatus for removing water from within a fire extinguisher. Applicants confirm election of group II in a telephone call to Examiner on June 14, 2002.

Applicants respectfully traverse the restriction requirement. Two conditions must be met in a proper restriction requirement: "(A) The inventions must be independent or distinct as claimed; and (B) There must be a serious burden on the examiner if restriction is required." MPEP 803 (internal cites omitted). Without drawing any conclusion as to whether claims 1-27 claim inventions are independent and distinct, Applicants submit that examining claims 1-27

3752

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ORIGINALLY FILED

PATENT

Case Docket No. PAHTL.047A

Date: June 18, 2002

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In re application of : Meserve, et al.
App. No. : 09/643,172
Filed : August 21, 2000
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MEANS FOR PREVENTING
FREEZING AT OUTLET
Examiner : Dinh Q. Nguyen
Art Unit : 3752



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UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 2327
Arlington, VA 22202

Sir:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below:

CLAIMS AS FILED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	27	—	27	= 0 ×	\$18	= \$0
Independent Claims	2	—	2	= 0 ×	\$84	= \$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0

(X) Return prepaid postcard.

(X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Pui Tong Ho
Registration No. 44,155
Attorney of Record